

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FREDRICK HEINZ,

Civil Action No.05-73470

Plaintiff,
vs.

District Judge George Caram Steeh
Magistrate Judge Virginia M. Morgan

LELAND TESCHENDORF, et al
Defendants.

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ORDER DENYING RENEWED MOTION FOR APPOINTMENT OF COUNSEL

Before the Court is Plaintiff's Renewed Motion for Appointment of Counsel for Limited Purpose of Responding to Discovery. The court issued an order on January 3, 2006 denying plaintiff's first motion for appointment of counsel indicating that this court appoints counsel in a prisoner civil rights case only under exceptional circumstances and, in any event, only after the claims have survived a dispositive motion. There are no exceptional circumstances in this case that would warrant the appointment of counsel at this time, and plaintiff's claims still have not been tested by a dispositive motion. Accordingly, the court will deny plaintiff's renewed request for appointment of counsel.

IT IS HEREBY ORDERED that the motion is DENIED.

SO ORDERED.

Dated: March 10, 2006

s/Virginia M. Morgan
VIRGINIA M. MORGAN
UNITED STATES MAGISTRATE JUDGE

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PROOF OF SERVICE

The undersigned certifies that the foregoing order was served upon Fredrick Heinz and counsel of record via the Court's ECF System and/or U. S. Mail at the address disclosed on the notice of electronic filing on March 10, 2006.

s/Jennifer Hernandez
Case Manager to
Magistrate Judge Virginia M. Morgan